

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDGAR W. TUTTLE, ERIC BRAUN, THE BRAUN
FAMILY TRUST, and WENDY MEG SIEGEL, on
behalf of themselves and all others similarly situated,

Plaintiffs,

No. C 10-03588 WHA

v.

SKY BELL ASSET MANAGEMENT, LLC, GARY
R. MARKS, GEOFFREY M. KITSCH, MICHAEL
SELL, AGILE SKY ALLIANCE FUND, LP, AGILE
SKY ALLIANCE FUND GP, LLC, AGILE GROUP
LLC, GREENBERG & ASSOCIATES, INC., d/b/a
AGILE INVESTORS, INC., NEAL GREENBERG,
EDEN ROCK FINANCE FUND, LP, SOLID ROCK
MANAGEMENT LIMITED, ERCM LLP, SANTO
VOLPE, ERNST & YOUNG LLC, NIGHT WATCH
PARTNERS, LP, SKY BELL OFFSHORE
PARTNERS, LTD., PIPELINE INVESTORS, LP,
SKY BELL SELECT, LP, WAILED PARTNERS,
LP, WAILED CAPITAL GP, LLC, WAILED
ADVISORS, LP, PROSPECT CAPITAL, LLC,
WILLIAM BELHUMEUR, ROTHSTEIN KASS &
COMPANY, P.C., MCGLADREY & PULLEN, LLP,

ORDER TO SHOW CAUSE


Defendants.

Counsel for Eden Rock Finance Fund, LP, Solid Rock Management Limited, and Eden
Rock Capital Management LLP, are ordered to show cause why their motion to dismiss should
not be stricken as in violation of the second amended case management order. The Court notes
that counsel from Paul Hastings did not appear at the case management conference on February
10, 2011, where the subject of briefing any motion(s) to dismiss was discussed, thus waiving
their right to complain about the resulting order. Counsel must show cause including a

1 statement under oath by **WEDNESDAY, MARCH 2, 2011**, AT NOON, and the issue will be decided
2 without further argument.

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4 **IT IS SO ORDERED.**

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6 Dated: February 28, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE